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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,313	09/30/2003	Zer Kai Yap	TEC1296	5336

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BAKER & DANIELS LLP  
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FORT WAYNE, IN 46802

EXAMINER
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GILLAN, RYAN P

ART UNIT	PAPER NUMBER
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3746

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/675,313

Applicant(s)

YAP ET AL.

Examiner

Ryan P. Gillan

Art Unit

3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/20/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5-9, 11, 12, 17 and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Bergman (5,584,716). An assembly for use with a hermetic compressor, said assembly comprising: a hermetically sealed housing (12) defining an interior space and including a housing wall with an interior surface and an exterior surface, said housing wall defining an aperture (clearly seen in figure 14) extending through said housing wall and communicating with said interior space clearly seen in figure 14; a motor (col. 1 line 29-33) and a compressor (10) mechanism operably coupled with said motor disposed within said interior space; a terminal block (260) mounted on said housing wall proximate said aperture and forming a hermetic seal with said exterior surface of said housing wall, said hermetic seal encircling said aperture (Col. 2 lines 44-49); at least one terminal pin (122) mounted in said terminal block and extending through said aperture (clearly seen in figure 14); said terminal block includes a mating surface (268) flushly engaged with said exterior surface of said housing wall and encircling said aperture; wherein said exterior surface is cylindrical and said mating surface is a concave surface (the weld, shown in figure 14 conforms to the exterior

surface of the housing and will form at least some degree of concavity); wherein said at least one terminal pin has an outwardly projecting end (the portion of pin (122) that extend outside of the compressor housing) and said assembly further comprises a cover (262) securable to said terminal block wherein said cover defines an enclosure for said outwardly projecting end of said at least one terminal pin when said cover is secured to said terminal block (clearly seen in figure 14) and wherein said terminal block includes a latching surface (310) securably engageable with said cover; wherein said latching surface is defined by a groove (206) formed in said terminal block; wherein said cover includes at least one resilient mounting member (212) engageable with said latching surface to secure said cover to said terminal block; wherein said at least one mounting member includes a radially inwardly extending tab (integral with 212) engageable with said latching surface; wherein said terminal block includes a guide surface (integral with 206) disposed between said latching surface and a distal end of said terminal block, said guide surface tapering radially inwardly as said guide surface projects from said latching surface toward said distal end (clearly seen in figure 11); wherein said terminal block includes a portion disposed within said aperture (the portion of terminal block (200) within the compressor housing); wherein said terminal block is welded (col. 2 lines 18-19) to said exterior surface of said housing wall; said terminal block defining an annular groove (206); resilient mounting member extending therefrom and said tabs (210) are disposed on the respective distal end of said resilient mounting member (212).

***Claim Rejections - 35 USC § 103***

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3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 22, 23, 27 and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman. The method of assembly claims are rejected because the apparatus claim limitations, being anticipated by the applied prior art, so do obviously the method of assembling steps.

5. Claim 4 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman in view of Paterek (5,227,587). Bergman teaches all of the limitations of claims 1 and 22 as cited above, but fails to teach at least one terminal pin comprises a terminal pin assembly threadingly engaging a threaded opening defined by said terminal block.

6. Paterek teaches at least one terminal pin (26) comprising a terminal pin assembly threadingly engaging a threaded opening defined by said terminal block (clearly seen in figure 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the terminal pin assemblies taught by Bergman to included a pin assembly threadably engaged with the terminal block as taught by Paterek as a means of providing for quick installation and removal of the terminal pins in the compressor housing (col. 2 lines 3-19). The method of assembly claims are rejected because the apparatus claim limitations, being rejected by the applied prior art,

so do obviously the method of assembling steps, because the method of assembly simply provides the apparatus cited above.

7. Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman in view of Bunch et al. (5,252,036). Bergman teaches all of the limitations of claims 1 and 17, but fails to teach said terminal block is disposed entirely outwardly of said exterior surface of said housing wall.

8. Bunch et al. teaches a terminal block (22) is disposed entirely outwardly of said exterior surface of said housing wall (clearly seen in figures 1 and 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the terminal block assembly taught by Bergman to be completely exterior of the compressor housing as taught by Bunch et al. as a mean of creating improved protection to the terminal pins (col. 3 lines 59-68). The method of assembly claims are rejected because the apparatus claim limitations, being rejected by the applied prior art, so do obviously the method of assembling steps, because the method of assembly simply provides the apparatus cited above.

9. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman in view of Bunch et al. (2002/0029469). Bergman teaches all of the claim limitations as cited above, but fails to teach a cover having a plurality of tabs engageable with said groove to thereby mount said cover to said terminal block; said cover includes a plurality of resilient mounting members extending therefrom; wherein the guide surface forms a frustoconical shape.

10. Bunch et al. teach a cover having a plurality of tabs (82) engageable with grooves (88) to thereby mount said cover (80) to said terminal block (78); said cover includes a plurality of resilient mounting members extending therefrom (extending from groove 88); wherein the guide surface forms a frustoconical shape (88). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the tab and groove as taught by Bergman to incorporate a plurality of tabs and corresponding grooves as a means of eliminating the need for excessive force when installing the cover and thereby increasing the likelihood of proper installment and reducing the likelihood of damage to the terminal block or cover (paragraphs 7 and 8). The method of assembly claims are rejected because the apparatus claim limitations, being rejected by the applied prior art, so do obviously the method of assembling steps, because the method of assembly simply provides the apparatus cited above.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Duhancik (6,114,633) discloses the state of the art.
- Eckels et al. (6,372,993) discloses the state of the art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan P. Gillan whose telephone number is 571-272-8381. The examiner can normally be reached on 8:30 am - 5:00 pm; Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571-272-4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RPG



10/30/06



**EHUD GARTENBERG**  
**SUPERVISORY PATENT EXAMINER**